

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SOPHIA EGGLESTON

Plaintiffs,

v.

Case No. 15-11893

LEE DANIELS, et al.

HON. TERRENCE G. BERG
HON. ELIZABETH A. STAFFORD

Defendants.

_____ /

**ORDER NOTIFYING PLAINTIFF THAT
REQUEST FOR HEARING IS DENIED AS UNTIMELY (DKT. 8)**

This is a copyright infringement case. Plaintiff Sophia Eggleston filed a complaint against Defendants on May 27, 2015 alleging that her memoir *The Hidden Hand* was the inspiration for the television series *Empire*, and in particular for the character Cookie Lyon. (Dkt. 1, ¶¶ 73-80.) Before the Court is Plaintiff's June 10, 2015 request for a hearing. (Dkt. 8.) Because Defendants have not yet been served with the summons and complaint, Plaintiff's request will be **DENIED** as untimely.

Plaintiff requests "to see [the] Judge" as soon as possible because she has felt threatened by various individuals since filing her lawsuit. (*Id.* at 1-2.) However, Plaintiff only just filed her complaint on May 27, 2015. (Dkt. 1.) Defendants in this case have not yet been served with the summons and complaint, and have therefore not been notified that they are being sued nor have they had sufficient opportunity

to respond.¹ *See generally* Fed. R. Civ. P. 4, 12. It would therefore be inappropriate at this time for the Court to convene a hearing in this case. As soon as appropriate, the Court will hear from the parties. Plaintiff's request for hearing is thus **DENIED** as untimely.

SO ORDERED.

s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE

Dated: June 15, 2015

Certificate of Service

I hereby certify that this Order was electronically submitted on June 15, 2015, using the CM/ECF system, which will send notification to each party.

By: s/A. Chubb
Case Manager

¹ Defendants must be served within 120 days after the complaint is filed or “the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). Once properly served, Defendants have an additional 21 days to respond to the complaint. Fed. R. Civ. P. 12(a). Plaintiff is also advised, however, that should she believe she is being threatened in any way by any person or party, her proper course of action is to contact the police as soon as possible, rather than to seek a court hearing.